Civil Contempt Appl. No. 228 of 2006

Hon. Prafulla C. Pant, J.

This contempt petition has been moved complaining wilfull disobedience of this Court's order dated 01.03.2006 passed in writ petition No. 184 (S/S) of 2004.

By said order, following direction has been issued:-

"In view of the above, liberty is given to the petitioners to move a representation to the appropriate authority of the respondent No. 1 within 15 days after the receipt of the certified copy of this order, who shall pass reasoned order in the light of the claim of the petitioners and the letter dated 03.10.2005, annexure C.A. 3 within three months thereafter. The petitioners shall be entitled to get revised pay scale accordingly.

Subject to the above observations, the writ petition is disposed of. No order as to costs."

Annexure-3 to the contempt petition shows that vide order dated 25.07.2006 in compliance of above order, the petitioners representation has been decided by respondent No. 1. Learned counsel for the petitioner states that the representation has not been disposed of in terms of letter dated 03.10.2005, which was to be considered as per the court's order. In the opinion of this Court, if the petitioner feels aggrieved by the order (Annexure-3), which is passed in pursuance of the order dated 01.03.2006, passed in writ petition, he can challenge the same by filing fresh writ petition but there does not appear any wilfull disobedience after the representation of the petitioners has been disposed of vide order dated 25.07.2006 by respondent No. 1.

Therefore, the contempt petition is dismissed in limine.

(P.C. Pant, J.)

Dt. 07.08.2006
Sweta